

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

CARL RAGASA and KANANI)	CIVIL NO. 03-00540
RAGASA,)	
)	DECLARATION OF BRUCE STINE
Plaintiffs,)	
)	
vs.)	
)	
COUNTY OF KAUAI, KAUAI)	
FIRE DEPARTMENT, DAVID)	
SPROAT, ROBERT KADEN,)	
SIDNEY KINI and ETHAN)	
SAGE,)	
)	
Defendants.)	

DECLARATION OF BRUCE STINE

I, BRUCE STINE, hereby declare as follows:

1. I am 51 years old.
2. Since the 1980's, I have been a resident of the County of Kauai, State of Hawaii.
3. I am a single father raising two young children.
4. I have been a big-wave surfer and an accomplished waterman for most of my life.
5. I have known Defendant ROBERT KADEN ("KADEN") for a long time.

6. I have known Plaintiff CARL RAGASA ("CARL") for a long time.

7. Starting in the late 1990's, I applied several times unsuccessfully to be hired as Water Safety Officer with the County of Kauai. It was one of my main goals in life.

8. In the Spring of 2001, I was at Lumahai Beach.

9. An elderly man and a young boy were in danger of drowning in the surf. I pulled both the man and the boy to the beach. The boy lived, but the man died.

10. KADEN came to the scene.

11. KADEN, who was by that time the Battalion Chief for the Water Safety program of Defendant KAUAI FIRE DEPARTMENT ("KFD") learned what I had done. He told me that he wanted hire me as a Water Safety Officer.

12. KADEN also told me that he was having problems with CARL, who was the head Water Safety Officer at Tower 1 at the Hanalei Pavilion.

13. KADEN told me that he really needed to and wanted to fire CARL.

14. KADEN's comments about CARL really surprised me, as CARL has a deserved reputation as the best Water Safety Officer in the County and one of the finest big wave surfers and watermen around.

15. Over the next several months, I had several meetings at various beaches on the North Shore of Kauai with KADEN.

16. During each of these meetings, KADEN told me that he was still having problems with CARL and that he and Defendant DAVID SPROAT ("SPROAT"), who was the Chief of KFD, both wanted to fire CARL.

17. During each of these meetings, KADEN told me that he and SPROAT wanted to hire me with a view toward replacing CARL as the head Water Safety Officer at Tower 1 at the Hanalei Pavilion.

18. During this time, several other applicants for Water Safety Officer positions were hired, but I was not. KADEN and SPROAT were, in my view, by passing me for younger applicants.

19. In mid-2001, I was working as a waiter at the Blue Dolphin Restaurant. KADEN met me there.

20. During that meeting, I told KADEN that I was unhappy because he had led me to believe that he was going to see to it that I would be hired as a Water Safety Officer.

21. KADEN told me that he was going to hire me, but that he and SRPOAT had to figure out a way to fire CARL first. He told me again that he and SPROAT wanted me to take over CARL's position. KADEN also told me that he was going to open a new tower at Haena Beach Park at the end of the road on the North Shore of Kauai. He said that it was his plan to hire me, start me there, find a way to get rid of CARL and then have me take over at Tower 1.

22. KADEN hired me as a Water Safety Officer in late 2001. My first day was December 17, 2001. KADEN assigned me to the new tower at Haena, designated as Tower 9, with two other Water Safety Officers, those being Jeff McIntosh and Defendant ETHAN SAGE ("SAGE").

23. In January 2002, KADEN came to Tower 9 while I was working. He wanted me to help respond to a call about a boat in distress in the ocean outside the

Limahuli River. While I was helping him, KADEN told me again that he and SPROAT were going to find a way to get fire CARL and then have me take over at Tower 1.

24. During the summer of 2005, SPROAT approached me and told me to "just hang in there", that there are a "few bad apples" in the Water Safety Program and that "we are going to weed them out." He also told me that "things will be better soon" in the Water Safety Program.

25. About two months ago, KADEN approached me at Lumahai Beach. He told me that SAGE had recently told him that I was going to testify against him in the above-captioned lawsuit. I told him that I was going to tell the truth about the many conversations that he had with me in 2001 and 2002 about his and SPROAT's plans to terminate CARL and replace him with me.

26. KADEN then told me that he does not remember ever having any conversations with me at all about CARL. I told KADEN that he knew what he had said to me about CARL and he knew what he did to try and get CARL

fired, and that I was going to testify about those matters.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Executed this 23 day of October 23, 2005 at Hanalei, Kauai, Hawaii.



BRUCE STINE

DECLARATION OF BRUCE STINE; Carl Ragasa and Kanani Ragasa v. County of Kauai, et. al., In the United States District Court for the District of Hawaii, Civil No. CV 03-00162 (BMK).
